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ROBERT W. BECKER & ASSOCIATES
Patent and Trademark Law
707 Highway 66 East, Suite B
Tijeras, New Mexico 87059
Telephone: 505-286-3511
Telefax: 505-286-3524

TELEFAX FORM

DATE: 7 October 2003

TO: Examiner Alicia Ann Chevalier
Telefax 703 872 9487

21 including cover

FROM: Mary Ann Copas for Robert W. Becker
Robert W. Becker & Associates

SUBJECT: S/N 09/319,142
Filed May 28 1999
Ernst Michael Winter et al, Inventor

Dear Examiner Chevalier

Attached as requested is the CPA filed August 1, 2003 regarding the subject application. Should anything else be required, we would be pleased to provide it.

If this fax does not transmit clearly, please let us know so we may correct the problem immediately.

Thank you so much.

Mary Ann Copas for Robert W. Becker
Telephone: 505 - 286 - 3511
e-mail: maryann@rwbecker.com

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or an employee or agent of the intended recipient responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via United States Mail. Thank you.

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

"Express Mail" Mailing Label Number EV 292 353 347 US
Date of Deposit August 1, 2003
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, Alexandria VA 22313-1450.

Mary Ann Copas, Secretary

ddress to:

ssistant Commissioner of Patents
OX CPA
lexandria VA 22313-1450

Attorney Docket No. 45/236 Li/Sch
First Named Inventor: Ernst Michael Winter et al
Examiner: Alicia Ann Chevalier
Group/Art Unit: 1772

his is a Request for a [X] continuation or [] divisional application under 37 CFR 1.53(d), (continued prosecution application CPA)) of prior U.S. Application No. 09/319,142 filed July 29, 1999, entitled:

GEMSTONE

. [] Enter the unentered amendment previously filed on 37 CFR 1.116 in the prior nonprovisional application.

2. [x] A preliminary amendment is enclosed.

3. [] This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
a. [] ***DELETE*** the following inventor(s) named in the prior nonprovisional application:
b. [] The Inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. [] A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. [] Information Disclosure Statement (IDS) is enclosed:
a. [] PTO-1449
b. [] Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS	19 - 20 =	0	x $ =	0
	INDEPENDENT CLAIMS	3 - 3 =	0	x $ =	0
	MULTIPLE DEPENDENT CLAIM(S) (If applicable)			$ =	0
			BASIC FEE		$750.00
			Total of above Calculations =		$750.00
	Reduction by 1/2 for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				$375.00
				TOTAL	$375.00

. [X] Small Entity status:

a. [X] A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
b. [] Is no longer claimed.

. [X] It is respectfully requested that, if necessary to effect a timely response in application Serial No. 09/319,142 filed on July 29, 1999, and/or the instant continued prosecution application, this paper be considered as a **Petition for an Extension f Time** sufficient to effect a timely response **at any time during prosecution**. The Commissioner is hereby authorized to credit overpayments or charge the following fees, if not submitted by check, or shortages in any fees to **Deposit Account 02-1653**:

Fees required under 37 CFR 1.16;
Fees required under 37 CFR 1.17;
Fees required under 37 CFR 1.18.

3. [X] A check in the amount of $375.00 is enclosed (basic filing fee of $375.00).

). [X] The power of attorney in the prior application is to:
Robert W. Becker, Reg. No. 26,255 of ROBERT W. BECKER & ASSOCIATES, 707 Hwy 66 East, Suite B, Tijeras, NM 87059.

0.[] Other:

Please address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

ROBERT W. BECKER & ASSOCIATES, 707 Hwy 66 East, Suite B, Tijeras, New Mexico 87059 Telephone (505) 286-3511 Facsimile: (505) 286-3524).

August 1, 2003
Date

Robert W. Becker
Signature of Attorney or Agent of Record

Robert W. Becker
Typed or Printed name

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RAM Fee History Query

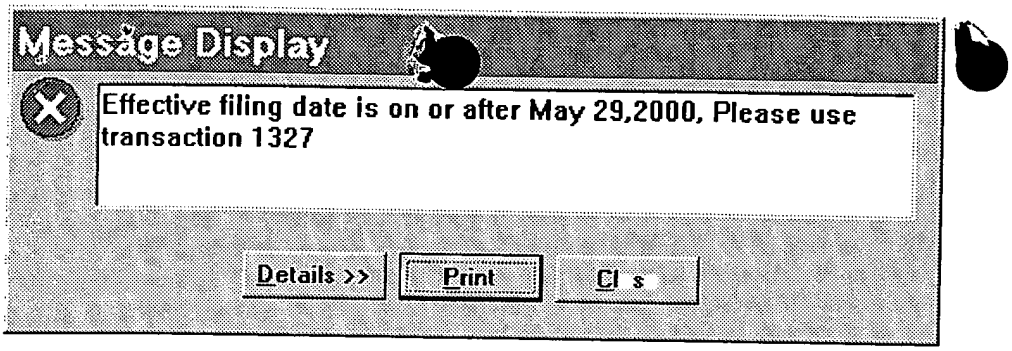
Revenue Accounting and Management

Name/Number: 09319142
Start Date: Any Date

Total Records Found: 12
End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount Mailroom Date	Payment Method
06/07/1999	00000001	1	970	$840.00 05/28/1999	CK
08/06/1999	00000066	1	581	$40.00 07/29/1999	DA 021653
08/06/1999	00000126	1	254	$65.00 07/29/1999	CK
08/16/1999	00000071	4	704	-$420.00 08/16/1999	CK
08/16/1999	00000069	1	970	-$840.00 05/28/1999	OP
08/16/1999	00000070	1	971	$420.00 05/23/1999	CK
04/26/2001	00000146	1	215	$55.00 04/23/2001	CK
04/26/2001	00000145	1	231	$355.00 04/23/2001	CK
05/09/2002	00000197	1	216	$200.00 05/07/2002	CK
05/09/2002	00000198	1	219	$160.00 05/07/2002	CK
07/11/2002	00000024	1	220	$160.00 07/08/2002	CK
08/05/2003	00000157	1	2006	$375.00 08/01/2003	CK

CPA Small Entity


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Mary Ann Copas, Secretary

Address to:

Assistant Commissioner of Patents
BOX CPA
Alexandria VA 22313-1450

Attorney Docket No.	45/235 Li/Sch
First Named Inventor:	Ernst Michael Winter et al
Examiner:	Alicia Ann Chevalier
Group/Art Unit:	1772
For:	GEMSTONE

PRELIMINARY AMENDMENT ACCOMPANYING CPA APPLICATION

Sir:

Prior to examination, please amend the above-identified application as follows.

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